



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

COPY MAILED

DEC 08 2008

OFFICE OF PETITIONS

In re Application of :
Chen, et al. : DECISION ON PETITION
Application No. 10/699,521 :
Filed: October 31, 2003 :
Docket No.: ALZA-0129 :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed November 6, 2008.

The Notice of Abandonment mailed October 27, 2008 indicates that the application is abandoned for failure to timely reply to the non-final Office action mailed April 9, 2008.

Petitioners assert that a response to the non-final Office action (including three month extension of time) was timely submitted on October 14, 2008 and have provided as proof of mailing and proof of USPTO receipt a return postcard dated October 14, 2008. The postcard acknowledges receipt of an amendment and three month extension of time. Further, the copy of the reply submitted herewith bears a certificate of mailing date of October 9, 2008 in accordance with 37 CFR 1.8.

The reply to the non-final Office action filed October 14, 2008 has been located in the official application file.

In view of the evidence presented, the petition to withdraw the holding of abandonment is hereby GRANTED.

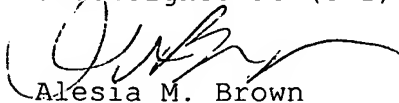
The Notice of Abandonment is hereby VACATED and the holding of abandonment is WITHDRAWN.

POWER OF ATTORNEY/CORRESPONDENCE ADDRESS

There is no indication that the person signing the petition was ever given a power of attorney to prosecute the application. If the person signing the petition desires to receive future correspondence regarding this application, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to the person signing the petition. However, all future correspondence will be directed to the address currently of record until appropriate instructions are received.

The application file is being forwarded to Technology Center 1618 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



Alesia M. Brown
Petitions Attorney
Office of Petitions

CC: THOMAS MCCRACKEN
Durect Corporation
2 Results Way
Cupertino, CA 95014